

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	
DIANE HARRELL, Individually and as	:
Administratrix of the Estate of Samuel D.	:
Harrell, III, Deceased,	:
	:
Plaintiff,	:
	:
- against -	:
	:
JOSEPH GUARINO, DOCCS Corrections	:
Sergeant, in his Individual Capacity, et al.,	:
	:
Defendants.	:
-----X	

15 Civ. 7065 (RA)

**STIPULATION, ORDER AND
JUDGMENT OF DISMISSAL
PURSUANT TO FRCP 41(a)(2)**

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned Plaintiff, Diane Harrell, Individually and as Administratrix of the Estate of Samuel D. Harrell, III, Deceased, and the attorneys for Plaintiff and Defendants, parties to the above-entitled action, that whereas no party hereto is an infant or incompetent person, and no person not a party has an interest in the subject matter of the action;

Pursuant to Federal Rule of Civil Procedure 41(a) (2), Plaintiff hereby stipulates and agrees that, upon the Court's order, all claims against defendants Maura Endrizzi, Jason Laughman,¹ Maria Zaprowski, Alan Washer, John Carreras, Joseph Guarino, Terry Shultis, Thomas Dickinson, Bryan Eull, Paul Harrington, Benjamin Mathew, Mario Morel, Robert Michels, Rutger Rivera, John Rolle, Tim Salerno, Chris Sherman, Justin Sorenson, John Yager, Frederick Belanger, Shawna Healy, Margaret Berry, Seleste Wallace, Marianne Sarvis, and Shirley Roberts, in the above-captioned action, shall be and are hereby dismissed with prejudice, without costs, expenses or fees against any party;

Plaintiff discharges and releases Defendants, the New York State Department of Corrections and Community Supervision, including its officers, agents and employees, and the

¹ Nurse Laughman is sued in this action as “Laughman.”

State of New York, including its agencies, subdivisions, officers, agents and employees, of any and all claims, demands, or causes of actions, known or unknown, now existing or hereafter arising, which relate in any way to the subject matter of this action;

The parties hereby stipulate and agree that the signatures appearing below will be deemed to be originals.

After due deliberation, the Court HEREBY ORDERS, DECREES AND ADJUDGES that all of the claims asserted against defendants Maura Endrizzi, Jason Laughman, Maria Zaprowski, Alan Washer, John Carreras, Joseph Guarino, Terry Shultis, Thomas Dickinson, Bryan Eull, Paul Harrington, Benjamin Mathew, Mario Morel, Robert Michels, Rutger Rivera, John Rolle, Tim Salerno, Chris Sherman, Justin Sorenson, John Yager, Frederick Belanger, Shawna Healy, Margaret Berry, Seleste Wallace, Marianne Sarvis, and Shirley Roberts, in the above captioned case, shall be, and are hereby dismissed in their entirety, with prejudice.


Dated: New York, New York
November 2, 2020
December

LETITIA JAMES
Attorney General
State of New York
Attorney for Defendants
28 Liberty Street, 18th Floor
New York, New York 10005
(212) 416-6295

By: Maria B. Hartofilis
Maria B. Hartofilis

Dated: New York, New York
November 2, 2020
December

BELDOCK LEVINE & HOFFMAN LLP
Attorneys for Plaintiff
99 Park Avenue
PH/26th Fl.
New York, New York 10016
(212) 277-5875

By: 
Luna Droubi

Dated: _____, New York
November ____, 2020

Diane Harrell,
Individually and as Administratrix of
the Estate of Samuel D. Harrell, III, Deceased
Plaintiff

ACKNOWLEDGMENT

On the ____ day of November, 2020, before me came _____,
known to me or proved to me on the basis of satisfactory evidence to be the person whose name is
subscribed on the within instrument, and acknowledged to me that he executed the same.

Notary Public#

Dated: New York, New York
November ____, 2020

LETITIA JAMES
Attorney General
State of New York
Attorney for Defendants
28 Liberty Street, 18th Floor
New York, New York 10005
(212) 416-6295

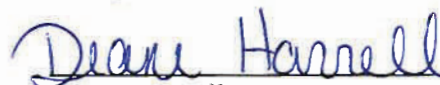
By: _____
Maria B. Hartofilis

Dated: New York, New York
November ____, 2020

BELDOCK LEVINE & HOFFMAN LLP
Attorneys for Plaintiff
99 Park Avenue
PH/26th Fl.
New York, New York 10016
(212) 277-5875

By: _____
Luna Droubi

Dated: Kingston, New York
~~November~~ 2, 2020
December



Diane Harrell,
Individually and as Administratrix of
the Estate of Samuel D. Harrell, III, Deceased
Plaintiff

ACKNOWLEDGMENT

December
On the 2nd day of ~~November~~, 2020, before me came Diane Harrell,
known to me or proved to me on the basis of satisfactory evidence to be the person whose name is
subscribed on the within instrument, and acknowledged to me that he executed the same.

Luna Droubi
Notary Public, State of New York
No. 02DR6322468
Qualified in New York County
Commission Expires April 6, 2023
By video pursuant to Executive Order 202.7




Notary Public#

SO ORDERED:

Dated: New York, New York
November ____, 2020

SO ORDERED. The conference scheduled for December 11, 2020 is adjourned. The Clerk of Court is respectfully directed to close this case.

HON. RONNIE ABRAMS, U.S.D.J.



Hon. Ronnie Abrams
12/7/2020